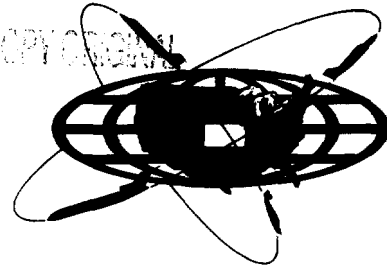


# Wichita Airport Authority

Wichita Mid-Continent Airport  
Colonel James Jabara Airport

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July 27, 1994

Mr. William F. Canton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, DC 20554

RE: CC Docket No. 92-77, Phase II

Dear Mr. Canton:

On behalf of the Wichita Airport Authority (WAA), I would like to present our position on the Further Notice of the Proposed Rulemaking (Docket 92-77) concerning Billed Party Preference (BPP). The WAA operates Wichita Mid-Continent Airport in Wichita, Kansas, which provides service to over 1.3 million passengers per year.

Located throughout the airport are approximately 70 pay telephones for use by the traveling public. These locations are strategically placed to facilitate convenience and ease of use. Therefore, any proposed ruling that could adversely affect the quality of service or revenue due the WAA is of great concern.

The WAA has utilized many resources and invested substantial monies to ensure the traveling public receives the greatest service possible at Wichita Mid-Continent Airport. The pay telephones provide over \$60,000 per year in revenue to the airport. The implementation of BPP will adversely affect both the airport and the level of service our travelers receive.

One concern of the WAA is the projected call set-up time to process a call with BPP. The additional time required to process the call will most assuredly cause passenger dissatisfaction and lines at the public pay telephones. Since the opportunity to make calls is limited by flight schedules, a longer call set-up time is likely to cause frustration among travelers. Additionally, the situation of customers queuing up at the pay phones will cause traffic flow problems and safety concerns.

Another concern is the possibility of limited availability of pay phones with BPP. Currently a large number of pay telephones are conveniently located to handle peak periods before and after flights. Without compensation from the operator services providers, the WAA will be forced to find a more profitable use for the space.

The revenue received from the pay telephone concession is used by the WAA to maintain and operate the airport. As you may be aware, Wichita Mid-Continent Airport operates as an enterprise fund whereby the users of the airport compensate the Authority for the use of facilities. This method of operation

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allows the WAA to provide a world class airport without relying on any tax revenue from the general public. Should this revenue be eliminated, the shortfall will have to be recovered from the other tenants of the Airport or the general public in the form of an airport tax. Many of these tenants are airlines already experiencing financial problems, e.g. America West Airlines, Trans World Airlines, etc. Shifting additional financial responsibilities to these companies is not only unfair but goes against our charter that states that all users of the airport must fairly compensate the Authority for utilizing the airport. Imposing an airport tax on the general public to recover lost income would be unfair to the citizens of Wichita and our market area.

Another alternative to recover lost revenue would be to impose a rental fee on the pay phone provider. The pay phone provider, instead of the airport operator, would then determine the number of pay phones to be placed in the airport. That determination would be based on projected revenues of the pay phone and the amount of rent the provider is willing to pay rather than on the needs of the travelers. Additionally, the imposition of rent or fees will ultimately be passed on to the users of the pay phones by the providers, eliminating any perceived operator services price reduction benefit of Billed Party Preference.

Recent court rulings, including the United States Supreme Court in Alamo Rent-A-Car vs. Sarasota Manatee Airport Authority, have stated that, (sic) "users of the airport facilities and those who generate income from the airport are required to compensate the airport". Enacting Billed Party Preference without requiring the operator services providers to compensate the airport appears to be in direct contrast to these recent court findings.

The Wichita Airport Authority is strongly opposed to Billed Party Preference and believes that our current operation which provides equal access from the public phones is sufficient. The Commission's resources would be better spent resolving specific rate and blocked carrier access problems by enforcing its existing regulations mandated in the Telephone Operator Consumer Services Improvement Act of 1990, rather than imposing BPP on the entire operator services industry.

In conclusion, implementing Billed Party Preference without mandating fair compensation to the location owner is unjust, will not benefit the consumer, and may be in violation of recent court rulings. Therefore, the WAA respectfully requests that the Federal Communications Commission not implement Billed Party Preference and continue the current operation of equal access and owner selection of the primary interexchange carrier.

Sincerely,

THE WICHITA AIRPORT AUTHORITY



Dwight W. Greenlee  
Director of Airport Administration

DWG/jdt

cc: Federal Communications Commissioners